

AFFIDAVIT OF GEOFFREY J. KELLY
IN SUPPORT OF A CRIMINAL COMPLAINT

I, Geoffrey J. Kelly, being duly sworn, state that the following is true to the best of my knowledge, information, and belief:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been so employed for twenty three years. Since February 1996, I have been assigned to the Boston Division and I am currently assigned to the Lakeville Resident Agency in Lakeville, Massachusetts, where my primary duty is the investigation of violent criminal offenses, including bank robbery offenses. Prior to my current assignment, I worked for approximately eight years on the Boston FBI's Bank Robbery/Violent Crimes Task Force. Throughout my career, I have participated in hundreds of bank robbery investigations. During the course of these investigations, I have executed search and arrest warrants, utilized informants, interviewed witnesses, and conducted surveillances.

2. I am aware that Title 18 of the United States Code, §2113(a), makes it a crime for anyone to use force and violence, or intimidation, to take money belonging to or in the care, custody, control, management, or possession of any federally-

insured financial institution.

3. I make this affidavit in support of a criminal complaint charging Dong Lee ("Lee"), DOB: XX/XX/1970, and Charles L. Wheeler ("Wheeler") DOB XX/XX/1971, with the following robberies on September 14, 2018 in violation of 18 U.S.C. § 2113(a): a branch of the Abington Bank, located on East Main Street, Avon, Massachusetts; and a branch of the Crescent Credit Union, located on Belmont Street, Brockton, Massachusetts. On the date of the robberies, Abington Bank was insured by the Federal Deposit Insurance Corporation and the Crescent Credit Union was insured by the National Credit Union Administration. The facts stated herein are based on my own personal involvement with this investigation, as well as from information provided to me by other law enforcement officers involved in the investigation. In submitting this affidavit, I have not included each and every fact known to me about this investigation; rather, I am only submitting enough evidence necessary to establish the requisite probable cause that the above-identified banks were robbed by Dong Lee and Charles L. Wheeler.

ABINGTON BANK - September 14, 2018

4. On September 14, 2018, at approximately 2:13 p.m., two male subjects entered a branch of the Abington Bank located on

East Main Street, Avon Massachusetts. The first individual ("Robber #1") approached the teller's counter next to the door and produced a demand note. The teller ("Teller #1") recalled that the note stated in substance, "This is a robbery, give me \$5,000 in large bills, I have a gun and will shoot - no dye packs."

Teller #1 told Robber #1 that she did not have that much currency in her drawer. Teller #1 recalled that Robber #1 then stated in substance, "Give me what you have. Give me all of the twenties that you have."

5. While Robber #1 was interacting with Teller #1, bank employees stated that the other individual (Robber #2") stood near the bank entrance acting as a lookout, and did not speak. A second teller ("Teller #2") asked Robber #2 if he, Robber #2 needed assistance or was he with Robber #1. Teller #2 stated both robbers nodded.

6. Teller #1 handed Robber #1 \$3,890.00 in US currency. Robber #1, left the bank with Robber #2, taking the demand note with him.

7. Following the robbery, Teller #1 was interviewed. Teller #1 described Robber #1 as an Asian or light-skinned black male with marks on his face, wearing a black baseball hat and sunglasses. Robber #2 was described as a black male, 6' tall with

a beard wearing a black baseball hat and sunglasses.

8.. Bank surveillance cameras and video were functioning and operating on the date of the robbery. I have observed the bank's video surveillance footage. The cameras captured images of Robber #1 and Robber #2 walking together into the bank. The video shows Robber #1 walking directly to the teller's station next to the door and that Robber #2 stopped and stood by the door. Following the robbery the video shows both robbers exiting the bank together. Robber #1 is observed wearing a black hat, a black sweatshirt, sunglasses, and a black t-shirt with a wolf logo on the front. Robber #2 is observed wearing a black hat, sunglasses, and a yellow t-shirt what may be a tiger's head on the front.

CRESCENT CREDIT UNION - September 14, 2018

9. On September 14, 2018, at approximately 2:44 p.m., two individuals entered a branch of the Crescent Credit Union located on Belmont Street, Brockton, Massachusetts. One of the individuals, "Robber #1", approached a teller and placed a demand note on the teller's counter. According to the teller, the note stated in substance, "This is a robbery. I have a gun. No dye packs." The teller took US currency from her drawer and handed it to Robber #1. According to the teller, the Robber #1 then stated, in substance, "Give me all of it." The teller handed Robber #1

\$3,621.00 in US currency. Robber #1 then reached out and took back the demand note. Included within the currency given Robber #1 were five "bait bills."¹ The second individual, "Robber #2" stood adjacent to Robber #1 during the robbery and did not speak. Both robbers then exited the bank and were observed by bank employees entering into and then exiting the area in a white motor vehicle traveling eastbound on Belmont Street.

10. Following the robbery, the teller who had been robbed described Robber #1 as an Asian male. Other bank employees described the other individual "Robber #2" who entered the bank with Robber #1 as a tall black male. One of the bank employees stated that the black male with the yellow shirt, Robber #2, entered the driver's side and that the Asian male, Robber #1, entered the front passenger side of the vehicle.

11. Bank surveillance cameras were functioning and operating on the date of the robbery. I have observed the bank's video surveillance footage. The cameras captured images of Robber #1 and Robber #2 entering the bank. Additionally, the images captured images of Robber #1 robbing the teller, and Robber #2 standing beside him. I have compared images of the robbers and the clothing worn by each robber during the robbery the clothing worn by the

¹ "Bait bills" are US currency in which the serial numbers have been recorded by the bank and retained on documents that are maintained by the bank.

robbers appears to be the same clothing worn by the robbers in the robbery of the Abington Bank in Avon, Massachusetts earlier in the day.

THE PURSUIT

12. On September 14, 2018, a few minutes after the robbery of the Crescent Credit Union, the Brockton Police were dispatched to a "hit-and-run" accident that had just occurred at the intersection of Belmont Street and Pearl Street. The location of the accident is approximately 0.2 miles from the Crescent Credit Union. A witness to the accident described the vehicle involved in the accident as a white Toyota Camry ("the Toyota") bearing Rhode Island License Plate VO538². The witness stated that he observed the operator of the Toyota to be a black male, and the front seat passenger to be a light-skinned male. The witness stated that following the accident the vehicle continued heading on Pearl Street in the direction of Easton.

13. The Brockton Police Department issued a "Be-on the Look-out" alert ("BOLO") for the Toyota. During this time, law enforcement learned that the Toyota had been reported stolen earlier in the day from an individual in Pawtucket, Rhode Island. The owner of the Toyota ("K.D.") reported that on September 14,

² The witness described the Toyota as a Camry. Law enforcement later learned that the Toyota was in fact a white Toyota Avalon.

2018, at approximately 7:00 a.m., a guest at her apartment, "Charlie" LNU, had taken the Toyota without her permission. The owner described "Charlie" as a black male, 6' in height and weighing approximately 200 lbs.

14. On September 14, 2018, at approximately 3:38 p.m., a Massachusetts State Trooper observed the Toyota traveling southbound on Route 1 in Foxboro, Massachusetts. The Trooper observed that a black male was operating the Toyota and another individual was in the front passenger seat. The Trooper notified his barracks of his observations, activated his blue lights and siren, and pursued the Toyota.

15. A lengthy high-speed pursuit ensued. During the pursuit, a different Trooper, who was aware of the BOLO, deployed "stop-sticks" on the roadway, which the operator of the Toyota was able to avoid. The operator of the Toyota eventually lost control of the vehicle and it crashed into the wood line off Route 95 southbound in the vicinity of Exit 5 in Attleboro, Massachusetts.

THE ARREST OF DONG LEE AND CHARLES WHEELER

16. Both the operator of the vehicle and the passenger exited the vehicle and ran into the woods. Pursuing troopers were able to capture one of the vehicle occupants a short time later in the woods. This individual was later identified as Lee. At the time

of his arrest, Lee was wearing a black t-shirt. During a search of Lee's person, law enforcement recovered \$3,983.00 in US currency. Within the recovered currency from Lee were the five "bait bills" discussed in Paragraph 9.

17. The pursuing troopers were unable to locate the other vehicle occupant at that time. A short time later the troopers learned that an individual described as a black male had just stolen a Honda Civic ("the Honda") from a near-by gas station. The Honda was described a gold Civic with Rhode Island License Plate QH396. At this time, the troopers issued a BOLO for the Honda.

18. A short time later, a trooper stationed on Route 1 in Attleboro observed the Honda traveling southbound towards the Rhode Island border. The trooper advised his barracks of his observations of the Honda, activated his blue lights and siren, and pursued the Honda.

19. The Honda continued on Route 1 southbound accelerating at high-rates of speed constantly switching lanes and weaving. After a lengthy chase, the Honda was boxed-in and stopped on Route 1 in North Attleboro just before the Rhode Island border. The operator of the Honda, later identified as Wheeler, was removed from the Honda and arrested. At the time of the stop, Wheeler was

wearing a yellow t-shirt with a tiger's head on the front. I have observed the t-shirt that was worn by Wheeler at the time of his arrest. I believe it is the same t-shirt worn by the Robber #2 during the robberies of the Abington Bank in Avon and the Crescent Credit Union in Brockton. During a search of Wheeler, law enforcement recovered \$2,232.00 in US currency.

20. An inventory search was conducted on the Toyota. During the search, law enforcement recovered: \$1,148.00 in US currency inside the Toyota; \$123.00 on the ground outside the Toyota; a note bearing the following text, "This is a robbery I have a gun I want 5000! No die pack: \$5000 20s 50s 100s" (sp); and a black t-shirt with an image of a wolf on the front. I have observed the t-shirt with the wolf logo that was seized from the Toyota. I believe it is the same t-shirt worn by Robber #1 during the robberies of the Abington Bank in Avon and the Crescent Credit Union in Brockton.

21. Both Lee and Wheeler were returned to the Massachusetts State Police Barracks in Foxboro, Massachusetts and advised of their *Miranda* Rights. Wheeler stated that he did not wish to make any statements and he was returned to his cell.

22. Lee indicated that he wished to make a statement. Lee was informed that the interview would be audio recorded. Task

Force Officer Trooper Mark Wheeler and I conducted the interview. During this interview, Lee stated that he and Wheeler had robbed the Abington Savings Bank and the Crescent Credit Union earlier in the day. Lee stated that Wheeler had picked him up earlier in the day and that Wheeler was driving the Toyota. Lee stated that he had changed his clothing after the robberies. Lee went on to state that he and Wheeler had committed a number of other robberies in the Boston area over the last few weeks.


INTERVIEW OF K.D.

23. On October 10, 2018, K.D. was interviewed by the FBI. At this time, K.D. was shown a photo array comprised of nine color photographs of black males. Contained within the array was a photograph of Wheeler. K.D. positively identified Wheeler as the individual she knew as "Charlie," who had stolen her Toyota on the morning of September 14, 2018.

CONCLUSION

24. Based on the foregoing, I submit there is probable cause to believe that on September 14, 2018, Dong Lee and Charles L. Wheeler, by force and violence, and by intimidation took from the person and presence of another, money in the care, custody, control, management and possession of the following bank and credit union, in violation of 18 U.S.C. § 2113(a): the Abington Bank and

the Crescent Credit Union, a credit union.



GEOFFREY J. KELLY
Special Agent
FEDERAL BUREAU OF INVESTIGATION

SUBSCRIBED and SWORN to before me
this ____st day of October 2018

OCT 22 2018



ROBERT B. COLLINGS
UNITED STATES MAGISTRATE JUDGE